



## **Coming to the tribunal**

### **Arriving at the hearing**

- It's important you arrive on time. Let us know if you or your witnesses are delayed.
- You and the people you are bringing should arrive 30 minutes before the hearing is due to start.
- Everyone will need a copy of the numbered set of the papers we sent you. You will need to make a copy for any representative or witnesses you are bringing.
- You should also bring any additional evidence the other party has sent you.
- When you arrive our clerk will explain what will happen and answer any questions you may have.

### **Attendance**

- Please let us know about any changes to your attendance details.
- The panel may not allow anyone you have not told us about to attend.
- You are responsible for making sure that the people coming with you know where the hearing is taking place, arrive on time, and have the necessary paperwork.

### **If your child is coming**

- He or she may not be allowed to attend the whole hearing.
- Please bring someone along to look after your child.

### **Observers**

- We allow parents' observers to provide moral support.
- They may not take part in the hearing or take notes.

## **Negotiations**

If you have not been able to complete negotiations with the other party before the day of the hearing and plan to continue with these before the start of the hearing you should arrive early. The hearing will start at the time we have told you and you should be prepared for the tribunal to decide the appeal on the evidence both parties have presented.

## **The hearing**

The Chair of the Panel will explain how the hearing will run and try to make the procedure as straightforward and easy to follow as possible.

- They will manage the hearing so that everyone can have their say.
- The panel will usually deal with topics one at a time, rather than asking you to make a statement about the whole of the case.
- Usually the Chair will ask the LA representative to explain the LA's view on each point and then ask the parent (or representative) to explain theirs.
- Both parties will be able to ask questions about each other's evidence.

The tribunal will ask both parties:

- what they think the relevant facts are;
- what conclusions they think should be drawn from these; and
- what they think should be done in the interests of the child.

### **Some points to keep in mind**

You do not need special legal knowledge to take part.

Our 'Right to be heard' video gives an idea of what to expect.

Make a list of the points you wish to make.

The tribunal will already have considered the written evidence.

You will have a chance to add anything you feel is important, but has not been mentioned.

You will then have a chance to sum up if you wish. Tell the tribunal what you feel are the key points to your case and point to the parts of the evidence you feel is most important.

You should not bring up new points when you are summing up. You should not interrupt or ask questions about the other party's summary.

## **Areas of agreement**

If the appeal is about the contents of the statement, you may be able to agree some changes before the hearing. If you have a version of the statement which shows what changes are agreed and what remains to be decided, the chair may decide to use this as a working document for the hearing. But you should not ask the panel to use at the hearing a new version of the statement which the other party has not seen or had a chance to discuss with you.

At the end of the hearing the chair may ask the parties to sign the working document, so that it can form part of the tribunal's decision.

## **Result of the appeal**

The tribunal will make a decision based on all of the written and spoken evidence it receives. It will decide the appeal after the hearing finishes, but will not normally give you the result on the day. We will send it to you in the post.

**Our aim is to send decisions within two weeks of the hearing but this is not always possible at busy times.**

## **You can help us**

We are committed to providing a high quality service. One of the ways we can continue to improve is by listening and responding to you. We welcome your comments on this guidance, or indeed on any aspect of our service.

You should address your comments to the Tribunal Manager at:

Special Educational Needs & Disability  
Mowden Hall  
Staindrop Road  
Darlington  
DL3 9BG

You do not need to give your name, but if you do we will acknowledge your comments and, if we can, respond to the points you raise.

